IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 226 OF 2005

Shri R. K. Telang,
Vasco Da Gama, Goa. ... Petitioner

versus

The Commissioner and others. ... Respondents

Mr. D. P. Bhise, Advocate for the Petitioner.

Mr. C. A. Ferreira, Advocate for Respondent Nos.3 and 4.

CORAM : R. M. LODHA &
N. A. BRITTO, JJ.

DATE : 23RD AUGUST, 2005.

P.C.:-

Heard Mr. D. P. Bhise, the learned Counsel for the Petitioner and perused the Order of Central Administrative Tribunal Mumbai Bench, at Bombay. The Petitioner filed Original Application No.454/2004 before the Central Administrative Tribunal challenging the Orders dated 19-3-2004, 2-4-2004 and 19-4-2004. By the Order dated 19-3-2004, the Petitioner was

placed under suspension. The Petitioner made representation against the Order of suspension and that came to be rejected by the Order dated 2-4-2004. By the Order dated 19-4-2004, the Petitioner's headquarter was changed from Goa to Bangalore. During the pendency of the proceedings before the CAT, by the Order dated 21-6-2005, the Order of suspension was revoked. Obviously, by the said Order, the grievance raised by the Petitioner in the Original Application before the Central Administrative Tribunal got redressed. However, the learned Counsel for the Petitioner urged before us that while withdrawing the Order of suspension, the Respondent No.2 could not have transferred the Petitioner to Raichur. We hardly find any merit in the said submission. Rule 14(2) referred to by the learned Counsel for the Petitioner has no application in so far as posting of an employee after revocation of suspension order is concerned. It only provides that an order of revocation of suspension will take effect from the date of issue. However, where it is not practicable to reinstate the delinquent with immediate effect the order of revocation should be expressed to take effect from the date so specified.

No illegality is found in the Order of the Respondent No.2 transferring the Petitioner to Raichur on revocation of suspension. This Writ Petition has no merit. Dismissed in limine.

R. M. LODHA, J.

N. A. BRITTO, J.

RD.